

So Ordered.



*[Handwritten signature]*

Whitman L. Holt  
Bankruptcy Judge

Dated: August 24th, 2021

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UNITED STATES BANKRUPTCY COURT  
IN AND FOR THE EASTERN DISTRICT OF WASHINGTON

In re:

**HUSCH & HUSCH, INC.,**  
Debtor.

No.: **20-00465-WLH11**

Chapter 11

**CONCLUSIONS OF LAW**

**THIS MATTER** came on for hearing on August 23, 2021 upon the issues raised by Debtor's request to confirm Debtor's Fourth Amended Plan of Reorganization filed herein on June 25, 2021 [ECF 340] (hereinafter "Plan" or "the Plan"), and the court having entered its Findings of Fact, based upon the evidence produced, the court now makes the following:

**CONCLUSIONS OF LAW**

1. The Plan has been accepted in writing by the creditors and equity security holders whose acceptance is required by law;
2. The provisions of Chapter 11 have been complied with, the Plan has been proposed in good faith and not by means forbidden by law;

Conclusions of Law-1

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1           3.       (i) Each holder of a claim or interest has accepted the Plan or will receive or  
2 retain under the Plan, property of a value, as of the effective date of the Plan, that is not less  
3 than the amount that such holder would receive or retain if the Debtor was liquidated under  
4 Chapter 7 of the Code on such date, or (ii) the Plan does not discriminate unfairly, and is fair  
5 and equitable with respect to each class of claims or interest that are impaired under the  
6 Plan and has not accepted the Plan;

7           4.       All payments made or promised by the Debtor or by a person issuing  
8 securities or acquiring property under the Plan or by any other person for services or for  
9 costs and expenses in, or in connection with, the Plan and incident to the case, have been  
10 fully disclosed to the court and are reasonable or, if to be fixed after confirmation of the Plan,  
11 will be subject to approval of the court;

12           5.       The identity of any insider that will be employed or retained by the Debtor and  
13 their compensation has been fully disclosed;

14           6.       (i) Confirmation of the Plan is not likely to be followed by the need for further  
15 financial reorganization of the Debtor or (ii) if the Plan is a Plan of liquidation or partial  
16 liquidation, the Plan sets a time period in which liquidation will be accomplished, and  
17 provides for eventuality if the liquidation is not accomplished in that period;

18           7.       Substantial consummation shall occur upon appointment of Liquidating Agent;

19           8.       Creditors were given Notice of Confirmation and no objections thereto were  
20 made, except by Heritage Bank ("Heritage") and Helena Agri-Enterprises, LLC ("Helena").  
21 Both Helena and Heritage have either approved Plan confirmation and/or waived the  
22 objections filed;  
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Conclusions of Law-2

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1           9.     It is proper that the Plan be confirmed; and

2           10.    It is proper that the "Amendment to Fourth Amended Plan of Reorganization"  
3 filed herein on August 20, 2021, under ECF No. 407, be approved without further notice or  
4 order of court.

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6                               ///END OF ORDER///

7 PRESENTED BY:

8 SOUTHWELL & O'ROURKE, P.S.

9  
10 BY: /s/ Dan O'Rourke  
11     DAN O'ROURKE, WSBA #4911  
12     Attorneys for Debtors  
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Conclusions of Law-3

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